

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Large Entity)

Docket No. 167

APH-0101

In Re Application Of:  
Grant W. Heinicke

NOV 26 2004

Application No. 09/606,629	Priority Date 06/29/2000	Examiner E.J. Webman	Customer No. 23413	Group Art Unit 1617	Confirmation No. 7996
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Invention:  
**Controlled Absorption Diltiazem Pharmaceutical Formulation**

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated 05/20/2004 finally rejecting Claim(s) 60-70

The fee for this Notice of Appeal is: \$340.00

- A check in the amount of the fee is enclosed.
- The Director has already been authorized to charge fees in this application to a Deposit Account.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 06-1130
- Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

11/20/2004 HAL111 00000071 09606629

01 FEE:1401 340.00 0P

Karen A. LeCuyer  
Signature

Dated: November 22, 2004

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on 11/22/2004

(Date)

Michelle E. Fetzner  
Signature of Person Mailing Correspondence

Michelle E. Fetzner

Typed or Printed Name of Person Mailing Correspondence

CC: